

# State Board of Medical Examiners

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consumer**brief**

New Jersey's Board of Medical Examiners is responsible for protecting the public's health and safety by determining qualifications of applicants for licensure, establishing standards of practices, and disciplining licensees who do not adhere to those requirements.

The State Board of Medical Examiners consists of 21 gubernatorial appointees. Twelve physicians, at least two of whom must be osteopathic physicians; 3 public members; 1 Commissioner of Health or his/her designee; 1 executive department designee; 1 podiatrist; 1 physician assistant; 1 bio-analytical laboratory director, who may or may not be an M.D.; and 1 certified nurse midwife.

## WHAT DOES THE BOARD DO?

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The Board licenses doctors of medicine (M.D.), doctors of osteopathic medicine (D.O.), podiatrists (D.P.M.), acupuncturists, bio-analytical lab directors (B.L.D.), hearing aid dispensers (H.A.D.), certified nurse midwives (C.N.M), physician's assistants (P.A.) and athletic trainers (A.T.).

The Board promulgates regulations which serve as a basis for the standard of practice and the Board ensures that these regulations and the statutes are followed by all licensees. It also is the responsibility of the Board to evaluate when a licensee's conduct or ability to practice appropriately warrants modification, suspension or revocation of the license to practice. When the Board receives a complaint against a licensee and there is reason to believe that the licensee has violated the law, it has the power to investigate, hold hearings, and/or impose disciplinary sanction. This may include fines, additional education, medical treatment, or a modification of his/her license.

## HOW CAN I FIND OUT INFORMATION ABOUT MY DOCTOR?

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You can learn more information about a doctor licensed in the State of New Jersey at the New Jersey Healthcare Profile (also known as the Physician Profile) by accessing [www.njdoctorlist.com](http://www.njdoctorlist.com). At this Web site, you can learn more about a physician's education, board certifications, where the physician has hospital privileges, the insurance which he/she accepts, whether any disciplinary action for the last ten years has been taken by the Board, whether any malpractice payments have been paid on the licensee's behalf and whether he/she has been disciplined by a health care facility.

## HOW CAN I FILE A COMPLAINT?

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You may complete an online complaint form at <http://www.state.nj.us/lps/ca/bmel/bmeform.htm>

download a complaint form at <http://www.state.nj.us/lps/ca/complaint/medcom.pdf>

and mail it to the Board of Medical Examiners, P.O. Box 183, Trenton, New Jersey 08624-0183,

or call 609-8267100 to request a complaint form be mailed to you.

## HOW LONG WILL THE INVESTIGATION TAKE?

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The Board cannot predict how long an investigation will take because each case has many variables. Each matter received by the Board is investigated thoroughly and on its own merits. Some cases are clear and involve a limited number of circumstances and, upon assignment, can be completed quickly. Others are more complicated and may take longer periods of time. The Board will do its best to process your complaint as quickly as it can, while still maintaining an appropriate investigation.

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**Office of the Attorney General**



**New Jersey Division of  
Consumer  
Affairs**

## DO I HAVE A RIGHT TO MY MEDICAL RECORDS?

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In most instances, you do have a right to receive a copy of your medical records, not the original. Although most patients assume that the records belong to them, the Board requires that the physician maintain the original to ensure that the patient's medical history is available to any subsequent treating physician or health care provider. Copies may be given to you, another doctor, your attorney, your insurance company or another family member if you expressly authorize it. If you should die, your executor or administrator of your estate may obtain copies also. Medical records cannot be released to a spouse, family member (except in the case of a child), attorney or any other person unless you give your consent to release them to that specific person.

## CAN A DOCTOR CHARGE ME FOR MY MEDICAL RECORDS?

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The doctor may charge you to copy your records. The cost may not greater than \$1.00 per page or \$100.00 for the entire record, whichever is less. If your records are less than 10 pages, the doctor may charge \$10.00. A "service fee" may not be charged in addition to the copying fee. Charges for copies of x-rays and other documents which cannot be reproduced by ordinary photocopying machines are to be charged at the actual costs to reproduce them.

Your doctor has 30 days after he/she receives a written request from you to provide your records. If you have provided a set of records from another physician, you have a right to have these included as part of the entire medical record. Physicians may not refuse to release a copy of your medical record if it is needed for ongoing treatment by another health care provider even if you owe money for the medical services the physician provided. Absent these circumstances, the physician, however, can hold the record until you pay for the costs to reproduce the record.

There is an exception to the above rule. If a you are sent by an insurance company or employer for an examination, the above does not apply. In order to obtain a copy of the records or reports from this examination, you must contact your employer or the insurance company that sent you for the examination to receive a copy.

## HOW LONG MUST A DOCTOR KEEP MY MEDICAL RECORDS?

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A doctor has to keep a patient's medical records for seven years. After that, the physician can destroy them. There is no requirement in the law that requires the physician to notify a patient prior to destroying the records. It is recommended that you request a copy of your medical records when you are changing physicians.

For additional information visit the Board of Medical Examiners Web page at <http://www.state.nj.us/lps/ca/complaint/medcom.pdf>,

Telephone: (609) 826-7100

Fax: (609) 826-7117 or

Email: [bme@dca.lps.state.nj.us](mailto:bme@dca.lps.state.nj.us)

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